

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID JEROME KATAJA, JR.,

Petitioner,

v.

CASE NO. 11-CV-13125

HONORABLE PATRICK J. DUGGAN

KEN ROMANOWSKI (WARDEN),

Respondent.

ORDER

Petitioner, through counsel, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on July 19, 2011. Along with his petition, Petitioner also filed a motion to stay the proceedings to allow him to exhaust additional claims in the state court. On August 11, 2011, this Court issued an opinion and order granting Petitioner's motion for a stay on the condition that Petitioner *inter alia* presented his unexhausted claims to the state court within sixty (60) days from the date of the decision. Subsequent to that decision, Petitioner retained new counsel who apparently did not receive the transcript from Petitioner's trial until September 22, 2011. As a result, Petitioner now seeks an additional sixty (60) days to present his claims to the state court.

The Court finds good cause for extending the period by which Petitioner must return to state court to present his unexhausted claims.

Accordingly,

IT IS ORDERED, that Petitioner's motion to extend stay is **GRANTED**;

IT IS FURTHER ORDERED, that the Court's August 11, 2011 opinion and order is amended to require Petitioner to present his unexhausted claims to the state court within 180 days from the date of that opinion and order. All other conditions for the stay remain the same.

Date: September 27, 2011

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copy to:
Richard B. Ginsberg, Esq.